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CUSTOMER NO: 61263

Date May 14, 2008 Attorney Docket No. 23558-028US

Total Pages (Including Cover)

From Paul M. Booth

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To: U.S. PATENT &amp; TRADEMARK OFFICE

Fax No.: 571-273-8300

Message

**OFFICIAL COMMUNICATION**

RE: U.S. Application No. 10/712,266  
Filing Date: November 14, 2003  
First Named Inventor: Richard Bruce BRANDON et al.  
Art Unit: 7950  
Examiner: Sharick Naqi

**SUBMITTED PAPERS:**

-CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8 FORM PTO/SB/97 (1 page)

-TRANSMITTAL FORM PTO/SB/21 (1 page)

-FEE TRANSMITTAL (1 page)

-AMENDMENT AND RESPONSE PURSUANT TO 37 CFR §1.111 (19 pages)

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MAY 14 2008

PTO/SB/97 (06-04)

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**IDENTIFIED SUBMITTED PAPERS RE: APPLN NO. 10/712,266**

- CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8 FORM PTO/SB/97 (1 page)
- TRANSMITTAL FORM PTO/SB/21 (1 page)
- FEE TRANSMITTAL (1 page)
- AMENDMENT (19 pages)

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

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**RECEIVED**  
**CENTRAL FAX CENTER****MAY 14 2008****TRANSMITTAL  
FORM**

Application Serial Number	10/712,266
Filing Date	November 14, 2003
Application of	Richard Bruce Brandon et al.
Group Art Unit	3736
Examiner	Sharick Naqi
Attorney Docket No.	23558-028US
Patent No.	Not applicable
Issue Date	Not applicable

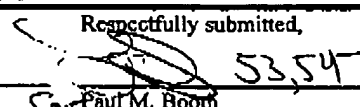
**ENCLOSURES (check all that apply)**

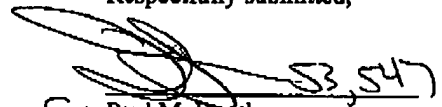
<input checked="" type="checkbox"/> Fcc Transmittal Form <input type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553) <input type="checkbox"/> Formal Drawing(s)	<input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate)
<input checked="" type="checkbox"/> Amendment/Response <input checked="" type="checkbox"/> Restr. Req. <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets _____]	<input type="checkbox"/> Request For Continued Examination (RCE) Transmittal <input checked="" type="checkbox"/> Power of Attorney (w/ 3.73(b) form) <input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences <input type="checkbox"/> Appeal Brief (in triplicate) <input type="checkbox"/> Status Inquiry <input type="checkbox"/> Return Receipt Postcard <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8 <input type="checkbox"/> Additional Enclosure(s) (please identify below)
<input checked="" type="checkbox"/> Petition for Extension of Time	<input checked="" type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application	
<input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Form PTO-1449 <input type="checkbox"/> Copies of IDS Citations	<input checked="" type="checkbox"/> Small Entity Statement <input type="checkbox"/> CD(s) for large table or computer program <input type="checkbox"/> Amendment After Allowance	
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above		

**CORRESPONDENCE ADDRESS**

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Washington, D.C. 20004  
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**SIGNATURE BLOCK**

Respectfully submitted,  
  
Date: May 14, 2008  
Reg. No.: 40,244  
Tel. No.: (202) 416-6800  
Fax No.: (202) 416-6899  
Paul M. Booth  
Attorney for the Applicant(s)  
Proskauer Rose LLP  
1001 Pennsylvania Ave., N.W.  
Suite 400, South  
Washington, D.C. 20004

<b>FEE TRANSMITTAL</b>					<i>Complete if Known</i>					
					Application Serial No.		10/712,266		<b>RECEIVED CENTRAL FAX CENTER MAY 14 2008</b>	
					Filing Date		November 14, 2003			
					First Named Inventor		Richard Bruce Brandon			
					Group No.		3736			
					Examiner Name		Sharick Naqi			
					Confirmation No.		7950			
<b>METHOD OF PAYMENT</b>					<b>FEE CALCULATION (continued)</b>					
<input checked="" type="checkbox"/> Payment Enclosed: <div style="margin-left: 40px;"><input type="checkbox"/> Check <input type="checkbox"/> Money Order <input checked="" type="checkbox"/> Other</div>					<b>4. ADDITIONAL FEES</b>					
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 50-3840 <div style="margin-left: 40px;"><input checked="" type="checkbox"/> Required Fees (copy of this sheet enclosed). <input checked="" type="checkbox"/> Additional fee required under 37 CFR 1.16 and 1.17. <input checked="" type="checkbox"/> Overpayment Credit.</div>					Large Entity		Small Entity			
					Fee (\$)	Fee (\$)	Fee Description	Fee Paid		
					130	65	Surcharge - late filing fee or oath			
					50	25	Surcharge - late provisional filing fee or cover sheet			
					130	130	Non-English specification			
<input checked="" type="checkbox"/> Applicant claims small entity status.					2,520		2,520			
<b>FEE CALCULATION</b>					120		60			
<b>1. BASIC FILING, SEARCH, AND EXAMINATION FEES</b>					450		225			
Application Type	Filing	Search	Examination	Fee Paid	1,020	510	Extension for reply within 3 <sup>rd</sup> mo.			
Utility	300	500	200		1,590	795	Extension for reply within 4 <sup>th</sup> mo.			
Design	200	100	130		2,230	1,115	Extension for reply within 5 <sup>th</sup> mo.			
Plant	200	300	160		500	250	Notice of Appeal			
Reissue	300	500	600		500	250	Filing a brief in support of an appeal			
Provisional	200	0	0		1,000	500	Request for oral hearing			
<i>Small Entity Discount</i>					400	0	Petitions to the Director			
<b>1. TOTAL</b>					180	180	Submission of IDS			
<b>2. EXCESS CLAIM FEES</b>					790	395	Filing a submission after final rejection (37 CFR 1.129(a))			
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent					50	25				
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent.					200	100				
Total Claims					Extra Claims		Fee Paid (\$)			
- 20 or HP= _____ x \$ _____ =										
HP = highest number of total claims paid for, if greater than 20										
Indep. Claims					Extra Claims		Fee Paid (\$)			
- 3 or HP= 3 x \$ _____ =										
HP = highest number of total claims paid for, if greater than 3										
Multiple Dependent Claims					Fee(\$)	Small Entity fee (\$)	Fee Paid (\$)			
					360	180				
<b>2. TOTAL:</b>										
<b>3. APPLICATION SIZE FEE</b>										
If the specification and drawing exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).										
Total Sheets	Extra Sheets	Additional 50 or fraction thereof		Fee (\$)	Fee Paid					
-100= 0	/50=	round up to a whole number		x	= 0.00					
<b>3. TOTAL:</b>										
<b>CORRESPONDENCE ADDRESS</b>										
Direct all correspondence to: PATENT ADMINISTRATOR Proskauer Rose LLP 1001 Pennsylvania Avenue, N.W., Suite 400 Washington, D.C. 20004 Tel. No.: (202) 416-6800 Fax No.: (202) 416-6899 CUSTOMER NO. 61263										
					<b>SIGNATURE BLOCK</b>					
					Respectfully submitted,  Date: May 14, 2008 Reg. No.: 40,244 Tel. No.: (202) 416-6800 Fax No.: (202) 416-6899 Paul M. Booth Attorney for the Applicant(s) Proskauer Rose LLP 1001 Pennsylvania Ave., N.W., #400 Washington, D.C. 20004					
<b>4. TOTAL:</b>							<b>4. TOTAL:</b>		\$60.00	
<b>TOTAL AMOUNT SUBMITTED</b>										
									\$60.00	